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April 9, 2025

VIA ELECTRONIC MAIL:

The Honorable Stephanie A. Gallagher
U.S. District Court for the District of Maryland
101 West Lombard Street
Chambers 7C
Baltimore, Maryland 21201
MDD_SAGchambers@mdd.uscourts.gov

Re: *Chaney, et. al. v. Perdue Farms, Inc., et al.* (C.A. No. 1:24-cv-2975)

Dear Judge Gallagher,

Plaintiffs write to the Court regarding the “Notice” filed by Defendants one week after the deadline for their Reply. This Notice and attached Exhibit, which the Defendants offer as supplemental argument for their Motion to Stay, was filed without requesting the consent of the Plaintiffs, and without leave of Court, as required under Maryland District Court Local Rule 105.2(a) (“Unless otherwise ordered by the Court, all memoranda in opposition to a motion shall be filed within fourteen (14) days of the service of the motion and any reply memoranda within fourteen (14) days after service of the opposition memoranda.”). As such, it is the position of the Plaintiffs that this document is not properly before the Court.

Regardless, the Plaintiffs write to bring to the Court’s attention a dispute between the parties which has arisen from this filed Notice. This letter is based on, and explicitly references, a January 21, 2025, report prepared by Langan Engineering and Environmental Services LLC (Langan)¹. Following the filing of this Notice, Plaintiffs’ counsel requested a copy of this report from Perdue, which they have refused to produce. Certainly, the Defendants should not be able to file an exhibit after the deadline for their Reply and withhold the report upon which it is based. Particularly, were this Notice and Exhibit permitted to become part of the record, withholding the Langan report would be fundamentally inappropriate and unfair.

As a result, Plaintiffs respectfully request that the Court confirm that the Notice and attached Exhibit are not properly part of the record, particularly given the Defendants’ refusal to produce the underlying Langan report. Alternatively, if the Court prefers, the Plaintiffs will prepare a Motion to Strike.

¹ While Perdue’s Notice characterizes this letter from MDE as setting forth “required” actions, it is instead a letter “request[ing]” that Perdue undertake certain actions, and threatening legal action should Perdue refuse.

April 9, 2025

Page 2 of 2

Respectfully submitted,



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PCF/sld

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